

# **Plaintiffs' Exhibit 89**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

\_\_\_\_\_  
UNITED STATES, ) 1:23-cv-00108-LMB-JFA  
et al., )  
)  
Plaintiffs, )  
)  
vs. )  
)  
GOOGLE LLC, )  
)  
Defendants. )  
\_\_\_\_\_)

VIDEOTAPED DEPOSITION OF

KENDALL OLIPHANT

August 9, 2023

9:32 a.m.

Reported by: Bonnie L. Russo  
Job No. 6031956

Veritext Legal Solutions

800-567-8658

973-410-4098

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<p style="text-align: right;">Page 30</p> <p>1 BY MS. GOODMAN:</p> <p>2 Q. And --</p> <p>3 A. -- that would relate to paid media.</p> <p>4 Q. So am I understanding your testimony</p> <p>5 correctly that Deb made a comment to you that</p> <p>6 sometimes it's not good -- it's good not to be</p> <p>7 aware of things or be an expert in things and</p> <p>8 that that related to paid media; is that right?</p> <p>9 MS. ZWOLINSKI: Objection. Form.</p> <p>10 Foundation.</p> <p>11 THE WITNESS: It was an</p> <p>12 acknowledgement of the suit in that I was</p> <p>13 involved, and that's it. I am characterizing</p> <p>14 based on a vague menu -- I mean memory, just</p> <p>15 being honest.</p> <p>16 BY MS. GOODMAN:</p> <p>17 Q. Do you recall when this comment was</p> <p>18 made?</p> <p>19 A. I honestly don't.</p> <p>20 Q. And do you recall the context or the</p> <p>21 conversation in which it came up?</p> <p>22 MS. ZWOLINSKI: Objection. Form.</p>	<p style="text-align: right;">Page 32</p> <p>1 MS. ZWOLINSKI: Objection. Form.</p> <p>2 THE WITNESS: That I manage that</p> <p>3 order. I was the one that had the -- the most</p> <p>4 knowledge of it.</p> <p>5 BY MS. GOODMAN:</p> <p>6 Q. I see. Based on what you can recall</p> <p>7 sitting here today, is it correct or incorrect</p> <p>8 to say that the side comment that we're</p> <p>9 discussing came up in the context of a</p> <p>10 conversation with respect to who from the</p> <p>11 census bureau would be tasked with</p> <p>12 participating in this lawsuit?</p> <p>13 MS. ZWOLINSKI: Objection. Form.</p> <p>14 THE WITNESS: Can you repeat that,</p> <p>15 please.</p> <p>16 BY MS. GOODMAN:</p> <p>17 Q. Did the side comment that we're</p> <p>18 discussing -- and I am using "side comment" as</p> <p>19 a shorthand -- did that come up in the context</p> <p>20 of a conversation about who from the census</p> <p>21 bureau would participate in this lawsuit?</p> <p>22 A. I don't believe so. That's not -- I</p>
<p style="text-align: right;">Page 31</p> <p>1 THE WITNESS: I honestly don't. It</p> <p>2 was appropriate, but I can't recall what else</p> <p>3 was discussed.</p> <p>4 BY MS. GOODMAN:</p> <p>5 Q. And did you understand her comment</p> <p>6 to mean that it's good for you not to</p> <p>7 necessarily be an expert in paid media or for</p> <p>8 who not be an expert in paid media?</p> <p>9 MS. ZWOLINSKI: Objection. Form.</p> <p>10 THE WITNESS: I would -- I can't</p> <p>11 assume what she thought. My interpretation was</p> <p>12 that she was not, so that -- I don't know. No</p> <p>13 one wants to be here.</p> <p>14 BY MS. GOODMAN:</p> <p>15 Q. Did you understand that in any way</p> <p>16 as to your expertise in paid media or...?</p> <p>17 MS. ZWOLINSKI: Objection. Form.</p> <p>18 THE WITNESS: Yes.</p> <p>19 BY MS. GOODMAN:</p> <p>20 Q. And what did you understand her to</p> <p>21 mean with respect to your expertise in paid</p> <p>22 media?</p>	<p style="text-align: right;">Page 33</p> <p>1 don't -- that's not correct.</p> <p>2 Q. Okay. And just for the record, best</p> <p>3 recollection sitting here today, any more</p> <p>4 details about the context in which the side</p> <p>5 comment came up?</p> <p>6 A. Not that I can recall.</p> <p>7 Q. Okay. What is your title?</p> <p>8 A. Chief of the contract management --</p> <p>9 contract program office in the communications</p> <p>10 directorate of the census bureau.</p> <p>11 Q. And for how long have you held that</p> <p>12 position?</p> <p>13 A. Since October of 2021.</p> <p>14 Q. And prior to October 2021, what</p> <p>15 position did you hold at the census bureau?</p> <p>16 A. I was chief of the integrated</p> <p>17 communications, contract program management</p> <p>18 office.</p> <p>19 Q. And what time period did you hold</p> <p>20 the position of chief of the integrated</p> <p>21 communications, contract program management</p> <p>22 office?</p>

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<p>1 A. It began in 2016. I don't know the</p> <p>2 exact date or month, but it was through</p> <p>3 September of 2021.</p> <p>4 Q. With respect to your current role as</p> <p>5 chief of the contract management -- sorry. The</p> <p>6 contract program office and the communications</p> <p>7 directorate of the census bureau, do you</p> <p>8 understand the United States lawsuit to be</p> <p>9 based on any work you do in that role?</p> <p>10 MS. ZWOLINSKI: Objection. Form.</p> <p>11 THE WITNESS: I understand it to be</p> <p>12 based on work that was conducted in my previous</p> <p>13 role, not in my current role.</p> <p>14 BY MS. GOODMAN:</p> <p>15 Q. And so we'll focus our time here</p> <p>16 today on your time as the chief of the ICC</p> <p>17 contract program management office.</p> <p>18 A. ICC PMO.</p> <p>19 Q. ICC PMO?</p> <p>20 A. Yes.</p> <p>21 Q. All right. We'll use that</p> <p>22 shorthand. Thank you.</p>	<p>1 task orders under the main contract?</p> <p>2 MS. ZWOLINSKI: Objection. Form.</p> <p>3 THE WITNESS: For context only -- I</p> <p>4 am trying to figure out how best to explain.</p> <p>5 In terms of government contracts,</p> <p>6 management of a contract is actually done --</p> <p>7 you have a contracting officer who is</p> <p>8 ultimately responsible for the contract, and</p> <p>9 they can make decisions that impact scope.</p> <p>10 But then you have a contracting</p> <p>11 officer representative, or COR, who</p> <p>12 administrates the contract.</p> <p>13 The communications contract was so</p> <p>14 large, you had a COR that administered the</p> <p>15 master contract and was ultimately responsible</p> <p>16 for all the -- all the orders, but each order</p> <p>17 had a separate COR.</p> <p>18 BY MS. GOODMAN:</p> <p>19 Q. I am following you.</p> <p>20 A. Okay.</p> <p>21 Q. In your role, however, in terms of</p> <p>22 program management of the master contract, did</p>
Page 35	Page 37
<p>1 To whom did you report when you were</p> <p>2 chief of the ICC PMO?</p> <p>3 A. Originally I directly reported to</p> <p>4 Stephen Buckner. He was the assistant director</p> <p>5 for communications.</p> <p>6 And then I reported to Burton Reist,</p> <p>7 who was the other assistant director for</p> <p>8 communications. We had two.</p> <p>9 Q. And in your role as chief, who</p> <p>10 reported to you?</p> <p>11 A. I had a staff of approximately 15,</p> <p>12 16 people at any given time.</p> <p>13 Q. What -- describe your job</p> <p>14 responsibilities as chief of the ICC PMO.</p> <p>15 A. I oversaw all things related to -- I</p> <p>16 oversaw the communications contract not as the</p> <p>17 contracting officer's representative but as the</p> <p>18 program officer as well as anything related to</p> <p>19 it. That included program management reports,</p> <p>20 stakeholder engagement, budget, et cetera.</p> <p>21 Q. And did your role as chief of the</p> <p>22 ICC PMO include responsibilities for all of the</p>	<p>1 you have responsibility for managing all of the</p> <p>2 orders issued under that master contract?</p> <p>3 MS. ZWOLINSKI: Objection. Form.</p> <p>4 THE WITNESS: I had the</p> <p>5 responsibility of understanding and providing</p> <p>6 guidance and reporting up and down and out, but</p> <p>7 I did not have responsibility for managing the</p> <p>8 orders. Only the COR on the contract can</p> <p>9 manage the orders.</p> <p>10 BY MS. GOODMAN:</p> <p>11 Q. Okay. Sitting here today, what --</p> <p>12 what's your understanding of which task orders</p> <p>13 are relevant to the lawsuit brought by the</p> <p>14 United States?</p> <p>15 MS. ZWOLINSKI: Objection. Form.</p> <p>16 Foundation.</p> <p>17 THE WITNESS: Order 8, which was</p> <p>18 recruitment advertising, and Order 15, which</p> <p>19 was media planning and buying.</p> <p>20 BY MS. GOODMAN:</p> <p>21 Q. And what were your responsibilities</p> <p>22 with respect to Order 8?</p>

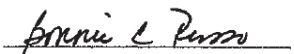
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<p>1 A. Yes.</p> <p>2 MS. ZWOLINSKI: Objection. Form.</p> <p>3 BY MS. GOODMAN:</p> <p>4 Q. Did -- what is your understanding of</p> <p>5 the term "digital media channels" here?</p> <p>6 A. In this workshop, they explained the</p> <p>7 different types of media, the reach, any</p> <p>8 limitations to the reach, how they worked</p> <p>9 together to provide a holistic approach to</p> <p>10 encouraging response.</p> <p>11 So in terms of digital media</p> <p>12 channels, they -- without going into a lot of</p> <p>13 detail, discussed site direct and what that</p> <p>14 meant, programmatic, social, and paid search.</p> <p>15 And explained that -- that's pretty much it.</p> <p>16 Q. And let's turn to Page 14, Bates</p> <p>17 ending in 33.</p> <p>18 At the bottom where it begins:</p> <p>19 "Digital advertising," do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. The first sentence says:</p> <p>22 "Team Y&amp;R partner Reingold will assess factors</p>	<p>1 more. That's what they discussed in this</p> <p>2 document.</p> <p>3 BY MS. GOODMAN:</p> <p>4 Q. And do you see the paragraph: "Team</p> <p>5 Y&amp;R will centralize as much of its national</p> <p>6 programmatic display video and search campaigns</p> <p>7 within" -- "within one advertising tech stack."</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. Do you know whether this occurred?</p> <p>11 A. As far -- as far as I'm aware, it</p> <p>12 was.</p> <p>13 Q. And do you know what ad tech stack</p> <p>14 was utilized?</p> <p>15 MS. ZWOLINSKI: Objection. Form.</p> <p>16 THE WITNESS: I do not recall.</p> <p>17 MS. GOODMAN:</p> <p>18 Q. And do you know if it was --</p> <p>19 involved any Google products or services?</p> <p>20 A. I don't recall.</p> <p>21 Q. Is that something that would have</p> <p>22 been important to you in your role as the</p>
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<p>1 for digital media options identifying metrics</p> <p>2 such as cost of serving, reach, and expected</p> <p>3 engagement for cross team Y&amp;R review."</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Why were the metrics of cost</p> <p>7 of serving, reach, and expected engagement</p> <p>8 factors that Reingold would need to assess as</p> <p>9 it is making purchases under Order 15?</p> <p>10 MS. ZWOLINSKI: Objection. Form.</p> <p>11 THE WITNESS: It was Reingold's job,</p> <p>12 as was Y&amp;R and all subcontractors, to make sure</p> <p>13 that everything they did and every purchase</p> <p>14 they made was as efficient and effective as</p> <p>15 possible. So every data point they could use</p> <p>16 to ensure that, they did.</p> <p>17 BY MS. GOODMAN:</p> <p>18 Q. And those were the factors listed</p> <p>19 here that were assessed for all types of</p> <p>20 digital media; is that correct?</p> <p>21 MS. ZWOLINSKI: Objection. Form.</p> <p>22 THE WITNESS: There may have been</p>	<p>1 contracting officer representative on Order 15?</p> <p>2 MS. ZWOLINSKI: Objection. Form.</p> <p>3 THE WITNESS: That level of detail,</p> <p>4 no.</p> <p>5 BY MS. GOODMAN:</p> <p>6 Q. Okay. And if you turn to Page 30</p> <p>7 ending in Bates 49, I want to direct your</p> <p>8 attention to this little flow chart in the</p> <p>9 middle of the page.</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Was that process -- strike that.</p> <p>13 It is titled: "Census Bureau 2010</p> <p>14 Media Billing Process."</p> <p>15 Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. Is this the same process that was</p> <p>18 filed -- followed for the 2020 census media</p> <p>19 billing process?</p> <p>20 A. For the most part, yes.</p> <p>21 Q. When you say "for the most part,"</p> <p>22 what was different about billing processes in</p>

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<p>1 2020 as compared to what is depicted on the</p> <p>2 2010 chart here?</p> <p>3 A. I honestly -- I do not recall what</p> <p>4 EDI means or DDS, so I'm not sure if those were</p> <p>5 systems that may have changed between 2010 and</p> <p>6 2020. But the gist of this is -- yes.</p> <p>7 MS. GOODMAN: Okay. All right. You</p> <p>8 can put that document to the side, and I would</p> <p>9 like to hand you another document which is</p> <p>10 marked Exhibit 15, Census Ads0000248031 through</p> <p>11 248185.</p> <p>12 (Deposition Exhibit 15 was marked</p> <p>13 for identification.)</p> <p>14 BY MS. GOODMAN:</p> <p>15 Q. And this is an e-mail from yourself</p> <p>16 to Kia Anderson dated September 14, 2022.</p> <p>17 Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And the subject is: "Census</p> <p>20 Media 101 Deck," right?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And you're sending the paid</p>	<p>1 what they are used for, how things have changed</p> <p>2 or at least as of the time of this document</p> <p>3 so...</p> <p>4 Q. And so you thought that this was a</p> <p>5 really good educational tool for Ms. Anderson,</p> <p>6 correct?</p> <p>7 MS. ZWOLINSKI: Objection. Form.</p> <p>8 THE WITNESS: I thought -- it was</p> <p>9 what I had that I could send that would at</p> <p>10 least get her started.</p> <p>11 BY MS. GOODMAN:</p> <p>12 Q. And you endeavored to send her what</p> <p>13 you thought would be the most appropriate and</p> <p>14 informative material, correct?</p> <p>15 MS. ZWOLINSKI: Objection. Form.</p> <p>16 THE WITNESS: That was my goal.</p> <p>17 This is what I got to first.</p> <p>18 BY MS. GOODMAN:</p> <p>19 Q. Okay. So let's go through this deck</p> <p>20 a little bit. And you recall this was</p> <p>21 presented at the Media 101 training by Y&amp;R,</p> <p>22 correct?</p>
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<p>1 Media 101 training that Y&amp;R provided to the</p> <p>2 census bureau to Ms. Anderson, correct?</p> <p>3 A. Yes.</p> <p>4 Q. And why were you sending this deck</p> <p>5 to Ms. Anderson?</p> <p>6 A. She wanted -- she wanted to know</p> <p>7 more about -- for context. Kia Anderson was</p> <p>8 detailed to HHS working on the public education</p> <p>9 campaign. She wanted to have a better</p> <p>10 understanding of media buying.</p> <p>11 Every agency buys media differently,</p> <p>12 but there are still some basic -- there is</p> <p>13 still some basic information that is just the</p> <p>14 same -- that's the same.</p> <p>15 She had no experience with media</p> <p>16 buying, and in order to have a better</p> <p>17 understanding of the conversations that were</p> <p>18 taking place in the room, she asked if I had</p> <p>19 anything that could provide, you know, just a</p> <p>20 basic understanding.</p> <p>21 And this is what I sent. It</p> <p>22 explained all the different types of media,</p>	<p>1 A. Yes.</p> <p>2 Q. And you attended?</p> <p>3 A. Yes.</p> <p>4 Q. Let's turn to Page 11,</p> <p>5 CENSUS-ADS-248042.</p> <p>6 What is this slide depicting?</p> <p>7 A. This slide depicts rudimentary</p> <p>8 visuals of various media channel options that</p> <p>9 are out there for use.</p> <p>10 Q. And how do you understand -- what's</p> <p>11 your -- strike that.</p> <p>12 What do you mean by "media channel</p> <p>13 options"?</p> <p>14 A. Television is a channel. Radio is a</p> <p>15 channel. Out of home, which includes</p> <p>16 billboards, bus -- sides of buses, sides of</p> <p>17 buildings, anything out of the -- out of the</p> <p>18 home, print, all of those.</p> <p>19 And then bottom row is the different</p> <p>20 -- a few of the different options within</p> <p>21 digital. So these are options or -- you know,</p> <p>22 of different media channels that can be used</p>

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<p>1 provided you legal advice?</p> <p>2 MS. ZWOLINSKI: Objection. Form.</p> <p>3 THE WITNESS: No.</p> <p>4 BY MS. GOODMAN:</p> <p>5 Q. Okay. And is your answer the same</p> <p>6 in January of 2023?</p> <p>7 MS. ZWOLINSKI: Objection. Form.</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MS. GOODMAN:</p> <p>10 Q. Okay. And in the course of your</p> <p>11 participation in this lawsuit if you've had</p> <p>12 questions about your participation in this</p> <p>13 lawsuit, have you turned to the attorneys at</p> <p>14 the antitrust division with your questions?</p> <p>15 MS. ZWOLINSKI: Objection. Form.</p> <p>16 THE WITNESS: No.</p> <p>17 BY MS. GOODMAN:</p> <p>18 Q. To whom have you turned, if anyone?</p> <p>19 A. Commerce.</p> <p>20 Q. And is that Mr. Cannon?</p> <p>21 A. That's Mr. Cannon, yes.</p> <p>22 Q. Do you consider the lawyers for the</p>	<p>1 MS. GOODMAN: I have no further</p> <p>2 questions. I'll pass the witness.</p> <p>3 MS. ZWOLINSKI: We have no</p> <p>4 questions.</p> <p>5 MS. GOODMAN: Okay. Thank you so</p> <p>6 much for your time, Ms. Oliphant. I very much</p> <p>7 appreciate it.</p> <p>8 THE WITNESS: You're welcome. Thank</p> <p>9 you.</p> <p>10 THE VIDEOGRAPHER: Off the record.</p> <p>11 MS. GOODMAN: Yes.</p> <p>12 THE VIDEOGRAPHER: This marks the</p> <p>13 end of the deposition of Kendall Oliphant. We</p> <p>14 are going off the record at 18:24.</p> <p>15 (Whereupon, the proceeding was</p> <p>16 concluded at 6:24 p.m.)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
Page 335	Page 337
<p>1 antitrust division to be lawyers for the census</p> <p>2 bureau?</p> <p>3 MS. ZWOLINSKI: Objection. Form.</p> <p>4 Foundation.</p> <p>5 THE WITNESS: I do not.</p> <p>6 BY MS. GOODMAN:</p> <p>7 Q. Why not?</p> <p>8 MS. ZWOLINSKI: Objection. Form.</p> <p>9 Foundation.</p> <p>10 THE WITNESS: Since census has their</p> <p>11 own lawyers and we have commerce lawyers, and I</p> <p>12 believe the commerce lawyers would be more --</p> <p>13 more sort of categorized in that way versus</p> <p>14 DOJ.</p> <p>15 BY MS. GOODMAN:</p> <p>16 Q. Okay. And is your answer the same</p> <p>17 with respect to your participation in this</p> <p>18 lawsuit as a representative of the census</p> <p>19 bureau?</p> <p>20 MS. ZWOLINSKI: Objection. Form.</p> <p>21 Foundation.</p> <p>22 THE WITNESS: Yes.</p>	<p>1 CERTIFICATE OF NOTARY PUBLIC</p> <p>2 I, Bonnie L. Russo, the officer before</p> <p>3 whom the foregoing deposition was taken, do</p> <p>4 hereby certify that the witness whose testimony</p> <p>5 appears in the foregoing deposition was duly</p> <p>6 sworn by me; that the testimony of said witness</p> <p>7 was taken by me in shorthand and thereafter</p> <p>8 reduced to computerized transcription under my</p> <p>9 direction; that said deposition is a true</p> <p>10 record of the testimony given by said witness;</p> <p>11 that I am neither counsel for, related to, nor</p> <p>12 employed by any of the parties to the action in</p> <p>13 which this deposition was taken; and further,</p> <p>14 that I am not a relative or employee of any</p> <p>15 attorney or counsel employed by the parties</p> <p>16 hereto, nor financially or otherwise interested</p> <p>17 in the outcome of the action.</p> <p>18</p> <p>19 </p> <p>20 Notary Public in and for</p> <p>21 the District of Columbia</p> <p>22 My Commission expires: August 14, 2025</p>

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<p style="text-align: right;">Page 338</p> <p>1           ACKNOWLEDGMENT OF DEPONENT</p> <p>2       I, KENDALL OLIPHANT, do hereby certify that</p> <p>3       I have read the foregoing transcript of my</p> <p>4       testimony taken on 8/9/23, and further certify</p> <p>5       that it is a true and accurate record of my</p> <p>6       testimony (with the exception of the</p> <p>7       corrections listed below):</p> <p>8       Page   Line       Correction</p> <p>9       _____</p> <p>10      _____</p> <p>11      _____</p> <p>12      _____</p> <p>13      _____</p> <p>14      _____</p> <p>15      _____</p> <p>16      _____</p> <p>17      _____</p> <p>18                               _____</p> <p>19                               KENDALL OLIPHANT</p> <p>20       SUBSCRIBED AND SWORN TO BEFORE ME</p> <p>21       THIS ____ DAY OF _____, 2023.</p> <p>22       _____ (NOTARY PUBLIC)   MY COMMISSION EXPIRES: Job No. CS6031956</p>	
<p style="text-align: right;">Page 339</p> <p>1   Rachel Zwolinski, Esq.</p> <p>2   rachel.zwolinski@usdoj.gov</p> <p>3           August 10, 2023</p> <p>4   RE:   United States, Et Al v. Google, LLC</p> <p>5       8/9/2023, Kendall Oliphant (#6031956)</p> <p>6       The above-referenced transcript is available for</p> <p>7       review.</p> <p>8       Within the applicable timeframe, the witness should</p> <p>9       read the testimony to verify its accuracy. If there are</p> <p>10      any changes, the witness should note those with the</p> <p>11      reason, on the attached Errata Sheet.</p> <p>12      The witness should sign the Acknowledgment of</p> <p>13      Deponent and Errata and return to the deposing attorney.</p> <p>14      Copies should be sent to all counsel, and to Veritext at</p> <p>15      erratas-cs@veritext.com</p> <p>16</p> <p>17      Return completed errata within 30 days from</p> <p>18      receipt of testimony.</p> <p>19      If the witness fails to do so within the time</p> <p>20      allotted, the transcript may be used as if signed.</p> <p>21</p> <p>22                   Yours,</p> <p>23                   Veritext Legal Solutions</p> <p>24</p> <p>25</p>	

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1 Rachel Zwolinski, Esq.

2 rachel.zwolinski@usdoj.gov

3 August 10, 2023

4 RE: United States, Et Al v. Google, LLC

5 8/9/2023, Kendall Oliphant (#6031956)

6 The above-referenced transcript is available for  
7 review.

8 Within the applicable timeframe, the witness should  
9 read the testimony to verify its accuracy. If there are  
10 any changes, the witness should note those with the  
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of  
13 Deponent and Errata and return to the deposing attorney.  
14 Copies should be sent to all counsel, and to Veritext at  
15 erratas-cs@veritext.com

16  
17 Return completed errata within 30 days from  
18 receipt of testimony.

19 If the witness fails to do so within the time  
20 allotted, the transcript may be used as if signed.

21  
22 Yours,

23 Veritext Legal Solutions  
24  
25

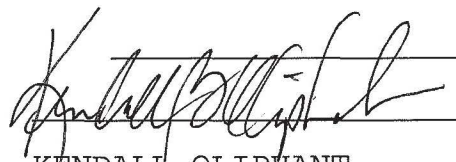
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## ACKNOWLEDGMENT OF DEPONENT

I, KENDALL OLIPHANT, do hereby certify that I have read the foregoing transcript of my testimony taken on 8/9/23, and further certify that it is a true and accurate record of my testimony (with the exception of the corrections listed below):

Page	Line	Correction
<u>33</u>	<u>7</u>	<u>communications contract, program</u>
<u>34</u>	<u>6</u>	<u>"and" should be "within" instead</u>
<u>99</u>	<u>6</u>	<u>"directory" should be "direct"</u>
<u>118</u>	<u>9</u>	<u>"do-not" should be "do-not-buy"</u>
<u>126</u>	<u>16</u>	<u>"invice" should be "invoiced"</u>
<u>157</u>	<u>16</u>	<u>"BETT" should be "BET"</u>
<u>285</u>	<u>19</u>	<u>paid media, earned media, and partnership</u>

  
KENDALL OLIPHANT

SUBSCRIBED AND SWORN TO BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
(NOTARY PUBLIC)

\_\_\_\_\_  
MY COMMISSION EXPIRES:

Job No. CS6031956